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(Original Signature of Member)

114TH CONGRESS
1ST SESSION

H. R. _____

To direct the Administrator of the Environmental Protection Agency to take certain actions related to pesticides that may affect pollinators, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CONYERS introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Administrator of the Environmental Protection Agency to take certain actions related to pesticides that may affect pollinators, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Saving America’s Polli-
5 nators Act of 2015”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Pollination services are a vital part of agri-
2 cultural production, valued at over
3 \$125,000,000,000 globally. According to a 2014
4 Presidential memorandum, pollinators provide for an
5 annual amount of \$24,000,000,000 to the economy
6 of the United States and honey bees account for
7 \$15,000,000,000 of such amount. Similarly, polli-
8 nation services of native pollinators, such as bumble-
9 bees, squash bees, and mason bees, contribute over
10 \$3,000,000,000 to the United States agricultural
11 economy and are estimated to contribute between
12 \$937,000,000 and \$2,400,000,000 to the economy
13 of California alone.

14 (2) One-third of food produced in North Amer-
15 ica—including nearly 100 varieties of fruits and
16 vegetables such as almonds, avocados, cranberries,
17 and apples—depends on pollination by bees.

18 (3) Over the past several years, documented in-
19 cidents of colony collapse disorder and other forms
20 of excess bee mortality have been at a record high,
21 with some beekeepers repeatedly losing 100 percent
22 of their operations. The national honey crop re-
23 ported in 2013 was the lowest in many decades.

24 (4) A recent national survey sponsored by the
25 Federal Government indicates that United States

1 beekeepers experienced a 45.2 percent annual mor-
2 tality rate with their hives during the period begin-
3 ning in April 2012 and ending in March 2013. Dur-
4 ing the winter of 2013-2014, two-thirds of bee-
5 keepers experienced loss rates greater than the es-
6 tablished acceptable winter mortality rate.

7 (5) According to scientists at the Department
8 of Agriculture, current losses of honey bee colonies
9 are too high to confidently ensure the United States
10 will be able to meet the pollination demands for agri-
11 cultural crops.

12 (6) Native pollinators, such as bumble bees,
13 have also suffered alarming population declines.
14 There are currently more than 40 pollinator species
15 federally-listed as threatened or endangered, and
16 most recently, the iconic monarch butterfly has de-
17 clined by 90 percent.

18 (7) Scientists have linked the use of a certain
19 class of systemic insecticides, known as
20 neonicotinoids, to the rapid decline of pollinators
21 and to the deterioration of pollinator health.

22 (8) Neonicotinoids cause sublethal effects, in-
23 cluding impaired foraging and feeding behavior, dis-
24 orientation, weakened immunity, delayed larval de-
25 velopment, and increased susceptibility to viruses,

1 diseases, and parasites. Numerous reports also docu-
2 ment acute, lethal effects from the application of
3 neonicotinoids.

4 (9) Conclusions from a recent global review of
5 the impacts of systemic pesticides, primarily
6 neonicotinoids, warn that they are causing signifi-
7 cant damage to a wide range of beneficial inverte-
8 brate species, are a key factor in the decline of bees,
9 and pose a global threat to biodiversity and eco-
10 system services. Another recent global review docu-
11 mented high levels of freshwater contamination.

12 (10) Science has demonstrated that a single
13 corn kernel coated with a neonicotinoid is toxic
14 enough to kill a songbird. Peer-reviewed research
15 from the Netherlands has showed that the most se-
16 vere bird population declines occurred in those areas
17 where neonicotinoid pollution was highest. Starlings,
18 tree sparrows, and swallows were among the most
19 affected.

20 (11) In January 2013, the European Food
21 Safety Authority determined that the most widely
22 used neonicotinoids pose unacceptable hazards to
23 bees, prompting the European Union to suspend
24 their use on agricultural crops.

1 (12) In June 2013, over 50,000 bumblebees
2 were killed as a direct result of exposure to a
3 neonicotinoid applied to linden trees for cosmetic
4 purposes.

5 (13) In February 2014, Eugene, Oregon, voted
6 to ban the use of neonicotinoid pesticides on city
7 property. Similar bans and restrictions have been
8 enacted in Thurston County, Spokane, and Seattle,
9 Washington, and Skagway, Alaska.

10 (14) In June 2014, a Presidential memo-
11 randum established a Pollinator Health Task Force
12 after identifying pollinator decline as a threat to the
13 sustainability of food production systems, the agri-
14 cultural economy, and the health of the environment
15 in the United States.

16 (15) In July 2014, the United States Fish and
17 Wildlife Service announced plans to phase out
18 neonicotinoid pesticides in all national wildlife ref-
19 uges across the United States by January 2016. The
20 United States Fish and Wildlife Service recognized
21 that the prophylactic use of neonicotinoids for agri-
22 cultural purposes harms a wide range of non-target
23 species and is therefore inconsistent with the man-
24 agement policy of the United States Fish and Wild-
25 life Service.

1 (16) In October 2014, an assessment by the
2 Environmental Protection Agency found that
3 neonicotinoid seed coatings provide little benefit to
4 overall soybean crop yield. Additional studies deter-
5 mined that in approximately 80 to 90 percent of row
6 crop uses, neonicotinoid coatings are unnecessary.
7 The prophylactic overuse of neonicotinoids violates
8 the fundamental principles of integrated pest man-
9 agement.

10 (17) In November 2014, the Province of On-
11 tario announced the province will move to restrict
12 the use of neonicotinoid-coated corn and soybean
13 seeds because of the broad harms from their over-
14 use, with a goal of 80-percent reduction by 2017.

15 **SEC. 3. URGENT REGULATORY RESPONSE FOR HONEY BEE**
16 **AND POLLINATOR PROTECTION.**

17 (a) IN GENERAL.—Not later than 180 days after the
18 date of the enactment of this Act, the Administrator of
19 the Environmental Protection Agency shall suspend the
20 registration of imidacloprid, clothianidin, thiamethoxam,
21 dinotafuran, and any other members of the nitro group
22 of neonicotinoid insecticides to the extent such insecticide
23 is registered, conditionally or otherwise, under the Federal
24 Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136
25 et seq.) for use in seed treatment, soil application, or foliar

1 treatment on bee-attractive plants, trees, and cereals until
2 the Administrator has made a determination that such in-
3 secticide will not cause unreasonable adverse effects on
4 pollinators based on—

5 (1) an evaluation of the published and peer-re-
6 viewed scientific evidence on whether the use or uses
7 of such neonicotinoids cause unreasonable adverse
8 effects on pollinators, including native bees, honey
9 bees, birds, bats, and other species of beneficial in-
10 sects; and

11 (2) a completed field study that meets the cri-
12 teria required by the Administrator and evaluates
13 residues, including residue buildup after repeated
14 annual application, chronic low-dose exposure, cumu-
15 lative effects of multiple chemical exposures, and any
16 other protocol determined to be necessary by the Ad-
17 ministrator to protect managed and native polli-
18 nators.

19 (b) CONDITIONS ON CERTAIN PESTICIDES REG-
20 ISTRATIONS.—Notwithstanding section 3 of the Federal
21 Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.
22 136a), for purposes of the protection of honey bees, other
23 pollinators, and beneficial insects, the Administrator of
24 the Environmental Protection Agency shall not issue any
25 new registrations, conditional or otherwise, for any seed

1 treatment, soil application, and foliar treatment on bee-
2 attractive plants, trees, and cereals under such Act until
3 the Administrator has made the determination described
4 in subsection (a), based on an evaluation described in sub-
5 section (a)(1) and a completed field study described in
6 subsection (a)(2), with respect to such insecticide.

7 (c) MONITORING OF NATIVE BEES.—The Secretary
8 of the Interior, in coordination with the Administrator of
9 the Environmental Protection Agency, shall, for purposes
10 of protecting and ensuring the long-term viability of native
11 bees and other pollinators of agricultural crops, horti-
12 cultural plants, wild plants, and other plants—

13 (1) regularly monitor the health and population
14 status of native bees, including the status of native
15 bees in agricultural and nonagricultural habitats and
16 areas of ornamental plants, residential areas, and
17 landscaped areas;

18 (2) identify the scope and likely causes of un-
19 usual native bee mortality; and

20 (3) beginning not later than 180 days after the
21 date of the enactment of this Act and each year
22 thereafter, submit to Congress, and make available
23 to the public, a report on such health and population
24 status.